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Law of the Sea Country Study

Romania

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GCR LOS 75-4

January 1975

NATIONAL SECURITY INFORMATION
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FOREWORD

The Law of the Sea Country Studies are prepared to support the NSC Interagency Task Force on the Law of the Sea. The countries to be included in the series are selected on the basis of priorities suggested by the chairman of the Task Force.

Each study has two parts. Part I is an analysis of the primary geographic, economic, and political factors that might influence the country's law of the sea policy, the public and private expressions of that policy, and a brief biography of the key personalities involved. Part II provides basic data and information bearing on law of the sea matters.

This study was prepared by the Office of Geographic and Cartographic Research. Biographic support was provided by the Central Reference Service. The study was coordinated within the Directorate of Intelligence and with the Department of State. Comments and questions may be directed to the IOS Country Studies Working Group, Co 143, Extension 2257.

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CONTENTS

Part I - Law of the Sea Analysis

Summary	1
Factors Influencing LOS Policy	2
Law of the Sea Policy	6
Key Policy Makers, LOS Negotiators and Advisers	11
Biographic Sketches	14

Part II - Background Information

Basic Data	17
Conventions	18
Membership in Organizations Related to LOS Interests	19
Present Ocean Claims	20
Action on Significant UN Resolutions	21

ANNEX

UN LOS draft articles submitted by Romania
Maps: Regional map
Theoretical Division of the World Seabed

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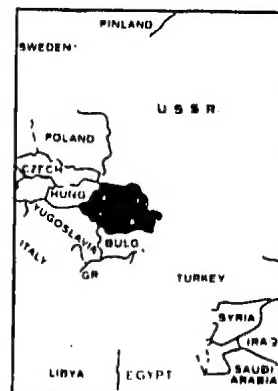
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ROMANIA

Part I - Law of the Sea Analysis

A. SUMMARY

Romania's primary Law of the Sea (LOS) concerns are international recognition of the supremacy of the maritime jurisdictional rights of continental landmasses over those of small islands and the adoption of treaty provisions that ensure preferential fishing rights for landlocked and other geographically disadvantaged states in the economic zones of neighboring coastal states. These concerns derive from the presence of Ostrov Zmeinyy, a small Soviet island about 22 miles* offshore, the poor fishing grounds in Romanian coastal waters, and Romania's expanding distant-water fishing interests. Because of its very short coastline and location on a semienclosed sea, as well as its poor fisheries, Romania considers itself a geographically disadvantaged nation.



Included in Romania's LOS position are:

- a 12-mile limit for the territorial sea,
- an unimpeded passage regime for merchant ships through international straits overlapped by 12-mile territorial seas,
- establishment of coastal state control over an economic zone as much as 200 miles wide,
- coastal state enforcement of vessel-source pollution controls in the economic zone,
- a coastal state consent regime for scientific research in areas under national jurisdiction, and

* Distances and areas throughout this study are in nautical miles unless specified otherwise.

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- a deep seabed regime that would give strong powers to an international Authority to control the exploration and exploitation of seabed mineral resources beyond the areas under national jurisdiction.

B. FACTORS INFLUENCING LOS POLICY

Special Geographic Features

Romania's only coastline borders on the semiencllosed Black Sea and stretches a mere 140 statute miles from the U.S.S.R. in the north to Bulgaria in the south. Romania considers this short coastline a distinct disadvantage, since it limits the area for tourism and leaves a relatively limited area for offshore oil drilling. The continental margin is narrow -- 45 to 80 miles wide -- and the shelf is only 30 to 70 miles wide at the 200-meter isobath. Access to the seas beyond the Black Sea is limited to the Turkish straits.

Uses of the Sea

Mineral Resources -- Romania produced 14.3 million metric tons of crude oil in 1973. The fields, all onshore, have been in production since before World War II. Land reserves are estimated at 165 million metric tons -- equivalent to about 11 years of production at the 1973 rate. The annual gain in production has been small and is declining; since the mid-1960s the annual gain had averaged 1.6% but it dropped to less than 1.0% in 1973.

Since 1968 Romania has concentrated on increasing the production capacity of its petroleum refineries, now estimated at 20 million metric tons annually. Refinery capacity now exceeds domestic crude production; Romania has been importing crude to be refined and exported to increase foreign hard currency earnings. In addition to imports from Saudi Arabia, Iran, Libya, and Venezuela, which amounted to about 3.8 million metric tons in 1973, Romania reportedly is receiving crude from Iraq. A 1974 agreement with Libya provides for crude oil imports of about 3 million metric tons annually through 1977. Romania, however, is the only net exporter of petroleum in Eastern Europe.* It exported about 5.5 million metric tons of petroleum products in 1973, principally to the United States, West Germany, France, and Italy. Romania is also a leader in petroleum technology -- it is the world's third-ranking producer and second-ranking exporter of drilling equipment.

* Eastern Europe is defined here as Poland, East Germany, Czechoslovakia, Hungary, Romania, and Bulgaria.

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Romania is the only member of the Council for Mutual Economic Assistance (CEMA) that does not import crude from the Soviet Union. While the price of Soviet oil in early 1974 was about 25% of the world market price, economic and political factors made it desirable for Romania to continue to import from the Middle East and Venezuela. Romania is willing to cooperate with the CEMA countries as long as its sovereignty is not threatened but feels that too many cooperative projects would hinder its national economic development.

Oil is known to be present in the Black Sea but until the recent increase in world oil prices, Western experts believed that exploitation was not economically feasible. The Five-Year Plan for 1976-80 provides for an expansion of oil production to 15.5 million metric tons per year with about 1 million from the Black Sea. Presently, the activity in the Black Sea is at the geological exploration stage.

In 1973 Romania's natural gas production, all onshore, was 29.2 billion cubic meters. About 98% was used to fill domestic needs, and the remainder was exported, primarily to Hungary by pipeline. Production, however, has been declining in recent years and it is expected that the annual production will be less than 26.0 billion cubic meters by 1980 -- insufficient to meet domestic needs. The shortfall in natural gas will necessitate purchases from the Soviet Union. Romania will tap into the Orenburg Pipeline, now under construction. Unlike the other CEMA countries who trade domestic labor and technology for Soviet gas supplies, Romania will trade a scrubbing plant, purchased with hard currency from France, for Soviet gas.

Among the Communist Eastern European countries, Romania ranks third, after Poland and Bulgaria, in the production of copper. In 1973, Romania mine production of copper amounted to 20 thousand metric tons, or 0.3% of the world total.

Living Resources -- Because of the paucity of fisheries off the Romanian coast, the fishing industry is largely involved in distant-water operations, primarily off Mauritania and the Atlantic coast of the United States. Domestically, fishing is of minor importance and does not supply a significant part of the Romanian diet. However, during the past decade the industry has become an important source of foreign hard currency. Factory ships have been purchased from Poland and a number of contracts have been negotiated with private U.S. firms to market the Romanian catch. By the early 1970s the volume of the Romanian catch off the U.S. coast had reached such a level that a formal agreement was deemed necessary; a fishing treaty was signed

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by the two countries in 1973. Another bilateral agreement with an important role in the expansion of the Romanian fishing industry is the 1974 agreement with Mauritania for a cooperative fisheries program.

Romania is party to a number of multilateral and regional fisheries agreements, including the 1967 International Convention on North Atlantic Fisheries (ICNAF), the 1959 Tripartite Black Sea Fisheries Agreement with Bulgaria and the U.S.S.R., and the 1962 Convention for the Development of High Seas Fisheries with Poland, East Germany, and the U.S.S.R.

Romania plans continued development of its fishing industry but lacks sufficient resources within its coastal zone. Consequently, it advocates giving landlocked and geographically disadvantaged countries access to the living resources of the economic zones of neighboring states.

Marine Transport -- Romania's seaborne trade is primarily with Western European and Mediterranean countries and is largely carried in foreign-flag ships. Its merchant marine fleet is small but modern. Between 1966 and 1974 total deadweight tonnage increased over 300%, due to the purchase of new ships from Japan and Eastern European countries and to the expanded production of the Romanian shipbuilding industry. Trade carried by the Romanian merchant marine, however, has remained at about 20% of the total seaborne trade.

Naval Considerations -- While the Romanian Navy is small (fewer than 200 patrol ships and craft), has obsolete equipment, and is suitable only for operations within a few miles of shore, recent additions have been made to improve it.

Political and Other Factors

Romania is a member of the Council for Mutual Economic Assistance and the Warsaw Pact, but since 1962 has become increasingly more nationalistic and independent of other Communist Eastern European countries and the U.S.S.R. The organizational form of the Romanian Government was quite similar to that of the U.S.S.R. until a new constitution was promulgated in 1965 and the country was renamed the Socialist Republic of Romania. These actions were preceded by a growing split between Romania and the other CEMA members over Romania's role in that organization. Romania felt that the economic integration encouraged by CEMA would undercut its political and economic freedom, hamper its industrialization, and relegate it to a position of supplier of raw materials for the more developed members. Romania also refused to put its armed forces under a

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centralized command within the Warsaw Pact and has not fully participated in Warsaw Pact troop maneuvers since 1962. At a 1964 Party Central Plenum, Romania issued what has come to be known as its "declaration of independence." This document asserts the equality of all socialist nations and their right to develop national policies in light of their own needs and interests. At the opening of the Romanian 11th Party Congress on 25 November 1974, President Ceausescu returned to this theme, delivering one of the most forceful reaffirmations of his country's independent course since the 1964 declaration.

Romania demonstrates its independence in a variety of ways. Bucharest, for example, has refused to take sides in the Sino-Soviet dispute and maintains good relations with Albania. In 1967, it broke ranks with Moscow and established diplomatic relations with West Germany, much to the anger of East Germany. In 1968 Party Boss Ceausescu bitterly denounced the Warsaw Pact invasion of Czechoslovakia and the Brezhnev Doctrine of limited sovereignty for socialist states.

Romania maintains good relations with nonaligned Yugoslavia despite the fact that Bucharest does not share Belgrade's staunch pro-Arab stand on the Middle East conflict. Romania recognizes the potential significance of the lesser developed countries (LDCs) as a counter to the great powers, a source of raw materials, and a market for its exports. Efforts to cultivate friendly relations with the LDCs have included a number of goodwill tours by the Romanian head of state, including tours of Africa in 1972 and Latin America in 1973. The Latin American tour was not as productive as hoped since invitations were not extended by Brazil, Argentina, Mexico, and Panama, and Latin America's only socialist government, the Allende regime in Chile, was overthrown during the President's stay on the continent.

Romania requested observer status at the 1973 Group of 77 Nonaligned States meeting in Algiers. Despite its claim to LDC status, it was refused admittance on the basis of its Warsaw Pact membership.

At the 1974 Caracas session of the LOS Conference, Gheorghe Saulescu, head of the Romanian delegation, expressed regret that the Provisional Revolutionary Government of the Republic of South Vietnam was not invited to attend. He also stated that the representatives of Prince Sihanouk, and not the envoys from Phnom Penh, were the legitimate representatives of Cambodia and that his delegation favored inviting the representatives of the national liberation movements to attend the LOS meetings.

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C. LAW OF THE SEA POLICY

Territorial Sea

Romania claims a 12-mile territorial sea as a result of a 1964 reciprocal agreement with its Black Sea neighbors, Bulgaria and the U.S.S.R., and will support inclusion of the 12-mile limit in an LOS Convention. Prior to the 1974 Caracas session of the LOS Conference Romanian Seabed Committee representatives spoke in favor of the 200-mile territorial sea claims of some Latin American states. While Romania realized that widespread application of this regime could hinder or damage its fishing and commercial development, it took the position as a part of a larger plan to gain LDC acceptance. At Caracas, however, the Romanian delegation supported a 12-mile territorial sea regime.

Straits

Romania supports a "free navigation" regime for international straits overlapped by 12-mile territorial seas. The delegation to Caracas spoke of the need to establish a straits regime that strikes a balance between the security interests of the straits states and the need for free movement of international traffic, especially merchant shipping. While the Romanians are very interested in securing a straits regime that would allow unimpeded passage of merchant ships through straits overlapped by 12-mile territorial seas, they have not expressed any views on the passage of warships, nor have they commented on the status of treaties in force, such as the Montreux Convention, which covers the Bosphorus and Dardanelles. Romanian seaborne trade to Mediterranean and Western European countries must pass through these Turkish straits.

Fisheries

Romania has distant-water fishing interests, and although it supports coastal state control of living resources within the 200-mile economic zone, it feels coastal states that do not exploit their fisheries to the maximum sustainable yield should be obliged to allow landlocked and other geographically disadvantaged states to fish in their economic zones. Romania considers itself a geographically disadvantaged state, partly because of the poor fisheries in its coastal waters, and feels preference should be given to such states, particularly those striving to develop their fishing industries. However, because of its past success in securing distant-water fishing rights through bilateral negotiation and its anticipation of opposition from many coastal states to detailed LOS treaty provisions on fisheries sharing, Romania advocates

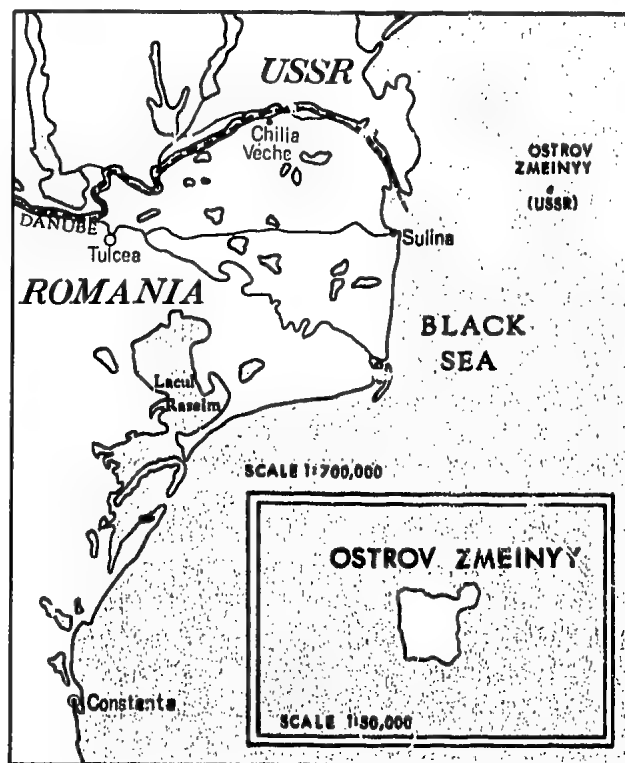
the LOS treaty contain only a general statement of principles concerning the obligation of coastal states to share their fisheries, leaving the details of access and exploitation to negotiation between the countries concerned.

Coastal State Jurisdiction Beyond the Territorial Sea

According to the Romanian delegation to the 1974 Caracas session, the establishment of coastal state control over an economic zone adjacent to its coast that extends as much as 200 miles offshore is an essential part of a new LOS convention. Both living and mineral resources would be under the control of the coastal state and navigation through the zone would be "absolutely free," subject only to whatever pollution controls are imposed by the coastal state. The coastal state would have sole access to the mineral resources but provisions should be made for landlocked and other geographically disadvantaged states to share in the living resources.

Regime of Islands and Continental Shelf

Romania is deeply concerned with the issue of continental shelf rights for islands -- a concern derived from the presence of Ostrov Zmeinyy, an uninhabited .17 square kilometer Soviet islet



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located about 22 miles off the Romanian coast. Romania maintains that the existing LOS doctrine on islands, as stated in the 1958 Geneva Conventions, is vague and incomplete. The new LOS convention should clarify the rights of islands to maritime jurisdiction to avoid divergent interpretations of which islands should or should not be accorded such rights. Romania has introduced a number of draft articles on the regime of islands in the U.N. Seabed Subcommittee II meetings and at the 1974 Caracas session (see Annex). These articles propose that maritime jurisdictional rights not be accorded to the following types of insular landmasses:

- an island less than 1 square kilometer in area (referred to in the Romanian draft articles as an "islet"), and
- an island "more than one square kilometre but less than ... square kilometres in area, which is not or cannot be inhabited (permanently) or which does not or cannot have its own economic life" (referred to in the Romanian draft articles as an "island similar to an islet").

For security reasons these islands may have a "maritime zone" or a territorial sea, provided that the zone or territorial sea does not affect the marine space of neighboring states. To support its views, Romania cites the 1969 decision of the International Court of Justice in the North Sea case, which stated that small islands should not have maritime jurisdictional rights that infringe on the rights of larger states.

The Romanian draft articles include the proposal that the delimitation of maritime space between neighboring states be based on agreement in accordance with equitable principles, taking into account all relevant geological, geographic, and other factors, but excluding "islets" and "islands similar to islets." The articles' provisions would not apply to the islands of insular or archipelagic states.

At the 1974 Caracas session of the LOS Conference, the Romanian delegation stated that the new LOS convention should recognize the exclusive and sovereign right of the coastal state to the mineral resources found on the continental shelf. However, a well-defined boundary should be established to delimit the areas under national and international jurisdiction. Romania feels that the exploitability clause of the 1958 Geneva Convention on the Continental Shelf is outdated by technological advances and favors a boundary coincident with the outer limit of the economic zone, i.e., 200 miles.

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It has indicated, however, that it will accept a boundary based on either depth or distance.

Deep Seabed

Romania holds the prevailing LDC suspicion that the developed countries will use their advanced technological capability to strip the deep seabed of its mineral wealth before the developing states are able to obtain the technology necessary to mine the area. It upholds the 1971 UN Declaration of Principles Governing the Deep Seabed, which embodies the "common heritage of mankind" concept and favors a strong international agency charged with the direct exploration and exploitation of seabed resources. The agency would include an assembly with universal, equal membership and broad powers to make all important decisions, and an executive council that would reflect the composition of and be responsible to the assembly to regulate recovery activities.

All members of the assembly would share the revenues derived from the exploitation but the needs and interests of the LDCs would be considered first in the distribution of benefits. There should be provisions for the transfer of technology to the developing states, the establishment of a bureau to acquire and disseminate technical and scientific information, and preferential treatment of landlocked states with regard to access to the international area and revenue sharing.

Romania feels there is no need to establish an interim regime to administer the exploration and exploitation of the deep seabed resources. However, if such a regime is needed, it should be a prototype of the proposed permanent agency so that its effectiveness can be judged.

Marine Pollution

Romania feels that coastal state sovereignty over the economic zone should include the right to prevent pollution, whatever its source; to establish standards, based on general international rules and regulations; and to enforce all marine pollution controls in areas under national jurisdiction. With regard to LOS treaty provisions for controlling pollution from continental shelf activities, the Romanians favor the double standard approach; i.e., less stringent standards for the LDCs to avoid limiting their economic development. The double standard should be maintained for an indefinite period of time, presumably until the economies of the LDCs show marked improvement.

Of particular interest to Romania is the inclusion in the LOS treaty of special pollution rules for the Black Sea. The rules should reflect the provisions set forth at the 1973 Inter-Governmental Maritime Consultative Organization meeting, where Romania, together with Bulgaria and the U.S.S.R., succeeded in having the Black Sea defined as a "special area" -- an area in which "any discharge of oil or oily mixture from any oil tanker and any other ship of 400 tons gross tonnage and above other than an oil tanker shall be prohibited."

Scientific Research

At a 1973 Seabed Subcommittee III meeting, Romania, together with 20 other countries, cosponsored a draft article calling for a consent regime for scientific research (see Annex). The document proposes that the coastal state have complete control over research conducted in areas within its jurisdiction and that scientific activity not begin without the explicit consent of the coastal state. The coastal state should be obliged to respond to research requests within a reasonable amount of time.

Romania plans to participate with other members of CEMA in a geological research program of the world's oceans. The proposed research will begin in the Atlantic Ocean and may at a later date include the Indian and Pacific Oceans.

Landlocked and Other Geographically Disadvantaged States

The Romanian delegation to the 1974 Caracas session of the LOS Conference spoke favorably of preferential rights for landlocked and other geographically disadvantaged states in the areas of national and international jurisdiction. The delegation advocated the right of such states to share the living resources of the economic zones of neighboring coastal states. Special attention should be given to those states that wish to develop their fisheries industries but are disadvantaged because of poor fishing grounds off their coasts. Landlocked states should have access to the sea. Romania feels, however, that the LOS treaty provisions on preferential rights for geographically disadvantaged states should be general principles; details, such as a landlocked state's access route through the transit state, should be relegated to negotiation between the countries concerned. In the international area, geographically disadvantaged states should be given special consideration in the distribution of benefits derived from deep seabed mining.

D. KEY LOS POLICY MAKERS, LOS NEGOTIATORS AND ADVISERS

The government of the Socialist Republic of Romania is based on the 1965 Constitution that established a unicameral legislature and collective executive known as the Council of State. The Romanian Communist Party controls elections and the government; its leaders serve concurrently as high-ranking government officials. The Party secretary general, Nicolae Ceausescu, is also head of state. The Council of State was weakened by the recent establishment of the office of the President of the Republic. That office was also assumed by Ceausescu.

LOS affairs are handled through the Ministry of Foreign Affairs, particularly its Juridical and International Relations Directorate. Tudor Mircea and Gheorghe Saulescu, two of the top three Romanian delegates to the 1974 Caracas session of the Third UN LOS Conference, are members of that Directorate.

A listing of the officials who attended the 1974 session of the LOS Conference in Caracas, the New York organizational session of the Conference in December 1973, and/or one or more of the preparatory sessions for the Conference follows:

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Name and Title

	Seabed Committee Session						Third LOS Conf.
	Mar 71	Jul Aug 71	Feb Mar 72	Jul Aug 72	Mar Apr 73	Jul Aug 73	Dec 73 Jun- Aug 74
Liviu BOTA Second Secretary Ministry of Foreign Affairs	X						
Alexandru BUTAC Engineer Ministry of Mines, Petroleum, and Geology							X
Dumitru CEAUSU First Secretary Permanent Mission to the United Nations					X		X
Traian CHEBELEU First Secretary Permanent Mission to the United Nations		X			X		
Nicolae CHILIE Third Secretary Permanent Mission to the United Nations				X			
*Costache CIUBOTARU Counselor Ministry of Foreign Affairs						X	X
Aureliu CRISTESCU Assistant Director Ministry of Foreign Affairs							X
Ion DATCU Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations	X	X	X		X		X

* See following pages for biographic sketch.

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Name and Title	Seabed Committee Session						Third LOS Conf.
	Mar 71	Jul Aug 71	Feb Mar 72	Jul Aug 72	Mar Apr 73	Jul Aug 73	Jun- Aug 74
Florica DINU Second Secretary Permanent Representative to the United Nations	X	X		X			
Constantin ENE Ambassador Permanent Representative to the United Nations				X		X	
Valeriu FLOREAN Second Secretary Permanent Mission to the United Nations						X	
Paul GOGEANU Professor Law Faculty, Bucharest University						X	
Virgil IORDANESCU Director Romanian Institute for Marine Research-Constantza			X		X	X	X
*Tudor MIRCEA First Secretary Ministry of Foreign Affairs		X	X	X	X	X	X
*Gheorghe SAULESCU Minister-Counselor Ministry of Foreign Affairs							X
Ioan VOICU Assistant Director International Organizations Directorate Ministry of Foreign Affairs		X	X				

* See following pages for biographic sketch.

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ROMANIA

Part II - Background Information

Geography

World Region: Eastern Europe
Category: coastal
Bordering states: U.S.S.R., Bulgaria, Yugoslavia, Hungary
Bordering bodies of water: Black Sea
Bordering semienclosed sea: Black Sea
Area of continental shelf: 7,100 sq. mi., shared with U.S.S.R.
Area to 200 mi. limit: 9,300 sq. mi., shared with U.S.S.R.
Area to edge of continental margin: 9,300 sq. mi.
Coastline: 140 statute mi.
Land: 91,700 sq. statute mi.
Population: 21,161,000

Industry and Trade

GNP: \$34.1 billion (1973, at 1972 prices), \$1,630 per capita
Major industries: machinery, metals, fuels, chemicals, textiles, food processing, timber processing
Exports: \$3,738 million (f.o.b., 1973); 36% fuels, raw materials, semifinished products; 24% machinery and equipment; 21% foodstuffs; 19% consumer goods (1973)
Imports: \$3,505 million (mixture f.o.b., and c.i.f., 1973); 47% fuels, raw materials, semifinished products; 42% machinery and equipment; 6% foodstuffs; 5% consumer goods (1972)
Major trade partners: \$7,243 million in 1973; 53% non-Communist countries, 47% Communist countries (1973)
Merchant marine: 76 ships (1,000 GRT or over) totaling 570,900 GRT; includes 1 passenger, 55 cargo, 5 tanker, 15 bulk

Marine Fisheries

Catch: 85,000 metric tons (1972)
Economic importance: minor domestically, important for trade
Other fishing areas: U.S., Mauritania
Marine fisheries techniques: modern, factory ships
Other countries fishing off coast: Bulgaria and U.S.S.R. through tripartite agreement

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Petroleum Resources

Petroleum: production -- 106.0 million 42-gal. bbl. (14.3 million metric tons) onshore; proved recoverable reserves -- 1,241.4 million 42-gal. bbl. (165.0 million metric tons) onshore (1973)
Natural gas: production -- 1,030.8 billion cubic feet (29.2 billion cubic meters) onshore; proved recoverable reserves -- 8,825.0 billion cubic feet (250.0 billion cubic meters) onshore (1973)

Navy

Ships: 52 coastal patrol ships, 38 river/roadstead patrol types, 22 minesweepers, 7 auxiliaries, 70 service craft

Government Leaders and LOS Policy Makers

Chairman of the Council of Ministers, head of government: Manea Manescu
President of Socialist Republic, head of state: Nicolae Ceausescu
Foreign Minister: George Macovescu

Conventions

Multilateral:

Bulgaria-Romania-U.S.S.R. Convention concerning Fishing in the Black Sea, 1959.
Reciprocal Agreements with Bulgaria, Turkey, and U.S.S.R. on Width of Territorial Sea in Black Sea, 1964.

Geneva Conventions:

Convention on Territorial Sea and Contiguous Zone, 1961.
Convention on High Seas, 1961.
Convention on Continental Shelf, 1961.

Conventions Concluded Under Auspices of IMCO:

International Convention for the Safety of Life at Sea (SOLAS), 1967.
1966 Amendments to the Convention, 1970.
1967 Amendments to the Convention, 1970.
Regulations for the Prevention of Collisions of Vessels at Sea, 1964.
International Convention on Load Lines, 1971.

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Conventions (Cont'd)

Conventions Regulating Fisheries in North Atlantic and North Sea:

Convention for Northwest Atlantic Fisheries, 1967.

Protocol to Convention on Holding of Annual Meetings, 1967.

Declaration of Understanding regarding Convention concerning Mollusks, 1967.

Protocol to extend the Convention Provisions to Harp and Hood Seals, 1967.

Protocol relating to Entry into Force of Commission Proposals, 1967.

Protocol on Panel Membership and Regulatory Measures, 1967.

Nuclear Test Ban Treaty, 1963.

Convention on the Inter-Governmental Maritime Consultative Organization, 1965.

Convention for the Development of High Seas Fisheries (Poland, East Germany, Romania, U.S.S.R.), 1962.

Membership in Organizations Related to LOS Interests

CEMA Council for Mutual Economic Assistance

FAO Food and Agriculture Organization

GATT General Agreement on Tariffs and Trade

IAEA International Atomic Energy Agency

IBRD International Bank for Reconstruction
and Development

ICAO International Civil Aviation Organization

ILO International Labor Organization

IMF International Monetary Fund

Seabeds Committee United Nations Committee on the Peaceful
Uses of the Sea-Bed and Ocean Floor
beyond the Limits of National Jurisdic-
tion

UN United Nations

UNESCO United Nations Educational, Scientific,
and Cultural Organization

Warsaw Pact

WHO World Health Organization

WMO World Meteorological Organization

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Present Ocean Claims*

<u>Type</u>	<u>Date</u>	<u>Terms</u>	<u>Source, Notes</u>
Territorial Sea		3 mi.	<i>Before 1930</i>
	1930	6 mi.	
	1951	12 mi.	Decree No. 176 of Sept. 29, 1951, also Decree No. 39 of Jan. 28, 1956 (UN Legis. Ser. (TS) ST/LEG/SER. B/6, p. 238) <i>Party to Territorial Sea Con- vention (Dec. 12, 1961) with reservation</i>
Continental Shelf	1961		Law on Continental Shelf <i>Party to Continental Shelf Convention (Dec. 12, 1961)</i>
Exclusive Fishing		12 mi.	<i>In Black Sea as a matter of reciprocity</i>

* Principal Source: *Limits of the Seas, National Claims to Maritime Jurisdictions*, 2d Revision, State Dept./INR, April 1974

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Action on Significant UN Resolutions

Moratorium Resolution
(A/RES/2574 D, XXIV, 12/15/69) Abstain

Pending establishment of international regime, States and persons are bound to refrain from exploiting resources of or laying claim to any part of the seabed and ocean floor beyond the limits of national jurisdiction.

LOS Conference
(A/RES/2750 C, XXV, 12/17/70) Abstain

Convene in 1973 a Conference on Law of the Sea to deal with establishment of international regime for the seabed and ocean floor, and enlarge Seabed Committee by 44 members and instruct it to prepare for the conference draft treaty articles embodying international regime.

LOS Conference, Timing and Site
(A/RES/3029 A, XXVII, 12/18/72) Adopted w/o vote

Indian Ocean as a Zone of Peace
(A/RES/2992, XXVII, 12/15/72) In favor

Called upon littoral and hinterland states of Indian Ocean area, permanent members of the Security Council and other major maritime users of Indian Ocean to support concept that Indian Ocean should be zone of peace.

Landlocked/Shelf-Locked Study Resolution
(A/RES/3029 B, XXVII, 12/18/72) Abstain

Called for study of extent and economic significance in terms of resources, of international area resulting from each proposal of limits of national jurisdiction presented to Seabed Committee.

Peruvian Coastal State Study Resolution
(A/RES/3029 C, XXVII, 12/18/72) In favor

Called for study of potential economic significance for riparian states, in terms of resources, of each of the proposals on limits of national jurisdiction presented to Seabed Committee.

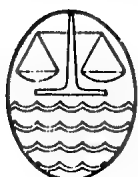
Permanent Sovereignty over Natural Resources
(A/RES/3016 XXVII, 12/18/72) In favor

Reaffirmed right of states to permanent sovereignty over all their natural resources, wherever found.

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UNITED NATIONS



**THIRD CONFERENCE
ON THE LAW OF THE SEA**



Distr.
LIMITED

A/CONF.62/C.2/L.18
23 July 1974
ENGLISH
ORIGINAL: FRENCH

Second Committee

**ROMANIA: QUESTIONS OF THE DELIMITATION OF MARINE AND OCEAN
SPACE BETWEEN ADJACENT AND OPPOSITE NEIGHBOURING STATES;
VARIOUS ASPECTS INVOLVED**

(Items 2.3.1; 3; 5.3; 6.7.2; 19 (b))

ARTICLE 1

The delimitation of all the marine or ocean space between two neighbouring States shall be effected by agreement between them in accordance with equitable principles, taking into account all the circumstances affecting the marine or ocean area concerned and all relevant geographical, geological or other factors.

ARTICLE 2

1. The delimitation of any marine or ocean space shall, in principle, be effected between the coasts proper of the neighbouring States, using as a basis the relevant points on the coasts or on the applicable baselines, so that the areas situated off the sea frontage of each State are attributed thereto.
2. Islands which are situated in the maritime zones to be delimited shall be taken into consideration in the light of their size, their population or the absence thereof, their situation and their geographical configuration, as well as other relevant factors.
3. Low-tide elevations, islets and islands that are similar to islets (of small size, uninhabited and without economic life) which are situated outside the territorial waters off the coasts and which constitute eminences on the continental shelf - whether light-houses or other installations have been built on them or not - and man-made islands - regardless of their dimensions and characteristics - shall not be taken into consideration in the delimitation of marine or ocean space between neighbouring States.
4. The naturally formed areas of land referred to in paragraph 3 may have around them or around some of their sectors maritime safety areas or even territorial waters, provided they do not affect marine spaces belonging to the coasts of neighbouring States.
5. The provisions of the present article shall not be applicable to islands and to other naturally formed areas of land which constitute part of an island State or of an archipelagic State.

C-0487

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A/CONF.62/C.2/L.18

English

Page 2

ARTICLE 3

The delimitation of space between two neighbouring States, whether they be adjacent or opposite, or whether they have both of these two geographical characteristics simultaneously, shall be governed by the method or combination of methods which provides the most equitable solution. For example, neighbouring States may use, exclusively or jointly, the geographical parallel or the perpendicular line from the terminal point of the land or river frontier, equidistance, or the median line of the points closest to the coasts or their baselines.

The terminal point of a river frontier shall be considered as the immediate confluence of the river and the sea, irrespective of whether the river flows into the sea in the form of an estuary.



UNITED NATIONS



THIRD CONFERENCE ON THE LAW OF THE SEA

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Romania: definition of and régime applicable to islets
and islands similar to islets

(Item 19 (b))

Article 1

1. An islet is a naturally formed elevation of land (or simply an eminence of the sea-bed) less than one square kilometre in area, surrounded by water, which is above water at high tide.
2. An island similar to an islet is a naturally formed elevation of land (or simply an eminence of the sea-bed) surrounded by water, which is above water at high tide, which is more than one square kilometre but less than ... square kilometres in area, which is not or cannot be inhabited (permanently) or which does not or cannot have its own economic life.

Article 2

1. In principle, a State may not invoke the existence, in one of its maritime zones, of islets or islands similar to islets, as defined in article 1, for the purpose of extending the marine spaces which belong to its coasts.
2. Where such elevations of land are situated along the coast of the same State, in immediate proximity thereto, they shall be taken into consideration, in accordance with the provisions of this Convention, for the purpose of establishing the baseline from which the breadth of the territorial sea is measured.
3. Where an islet or island similar to an islet is situated in the territorial sea of the same State but very close to its outer limit, the State in question may reasonably extend its territorial waters seaward or establish an additional maritime zone for the protection of lighthouses or other installations on such islet or island. The additional zones thus established shall in no way affect the marine spaces belonging to the coasts of the neighbouring State or States.
4. Islets or islands similar to islets which are situated beyond the territorial sea, on the continental shelf or in the economic zone of the same State, may have around

C-1158

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A/CONF.62/C.2/L.53

English

Page 2

them or around some of their sectors security areas or even territorial waters in so far as this is without prejudice to the marine spaces which belong to the coasts of the neighbouring State or States.

Where such eminences of the sea-bed are situated very close to the outer limit of the continental shelf or of the economic zone, the extension of their security zones or their territorial waters shall be established by agreement with the neighbouring State or States, or, where appropriate, with the authority for the international zone, having regard to all relevant geographic, geological or other factors.

Article 3

The marine spaces of islets or islands similar to islets situated in the territorial sea, on the continental shelf or in the economic zone of another State shall be determined by agreement between the States concerned or by other means of pacific settlement used in international practice.

The marine spaces of such elevations of land situated in the international zone of the sea-bed shall be established by agreement with the international authority for that zone.

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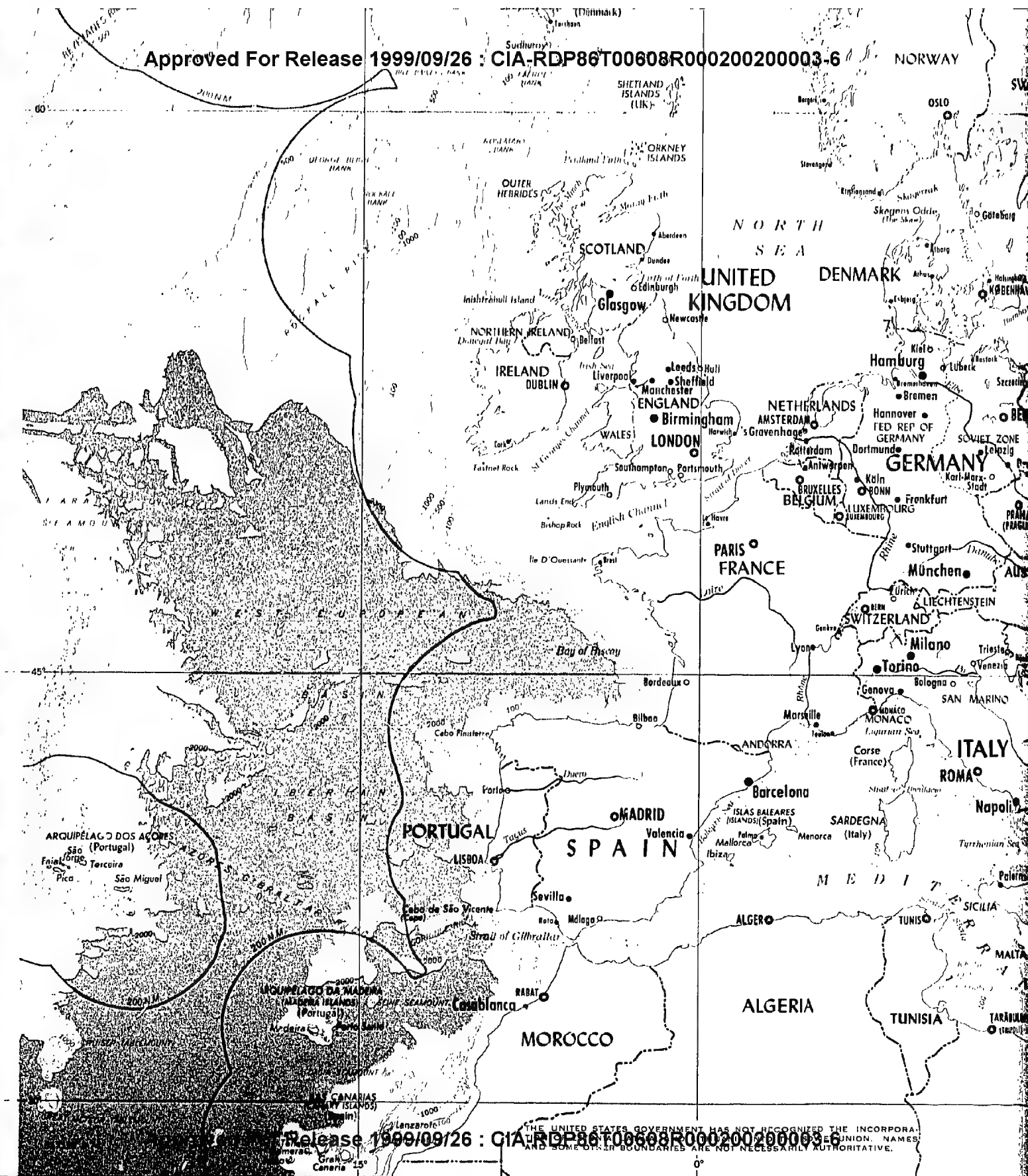
COMMITTEE ON THE PEACEFUL USES OF THE
SEA-BED AND THE OCEAN FLOOR BEYOND
THE LIMITS OF NATIONAL JURISDICTION
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Algeria, Brazil, China, Ethiopia, Egypt, Iran,
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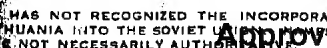
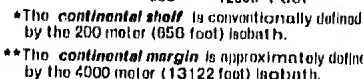
Draft article on consent to conduct marine
scientific research

Whenever, according to this Convention, the consent of a coastal State is requested for undertaking marine scientific research in the areas under its sovereignty and national jurisdiction the explicit consent of that State shall be obtained before such activity is undertaken.

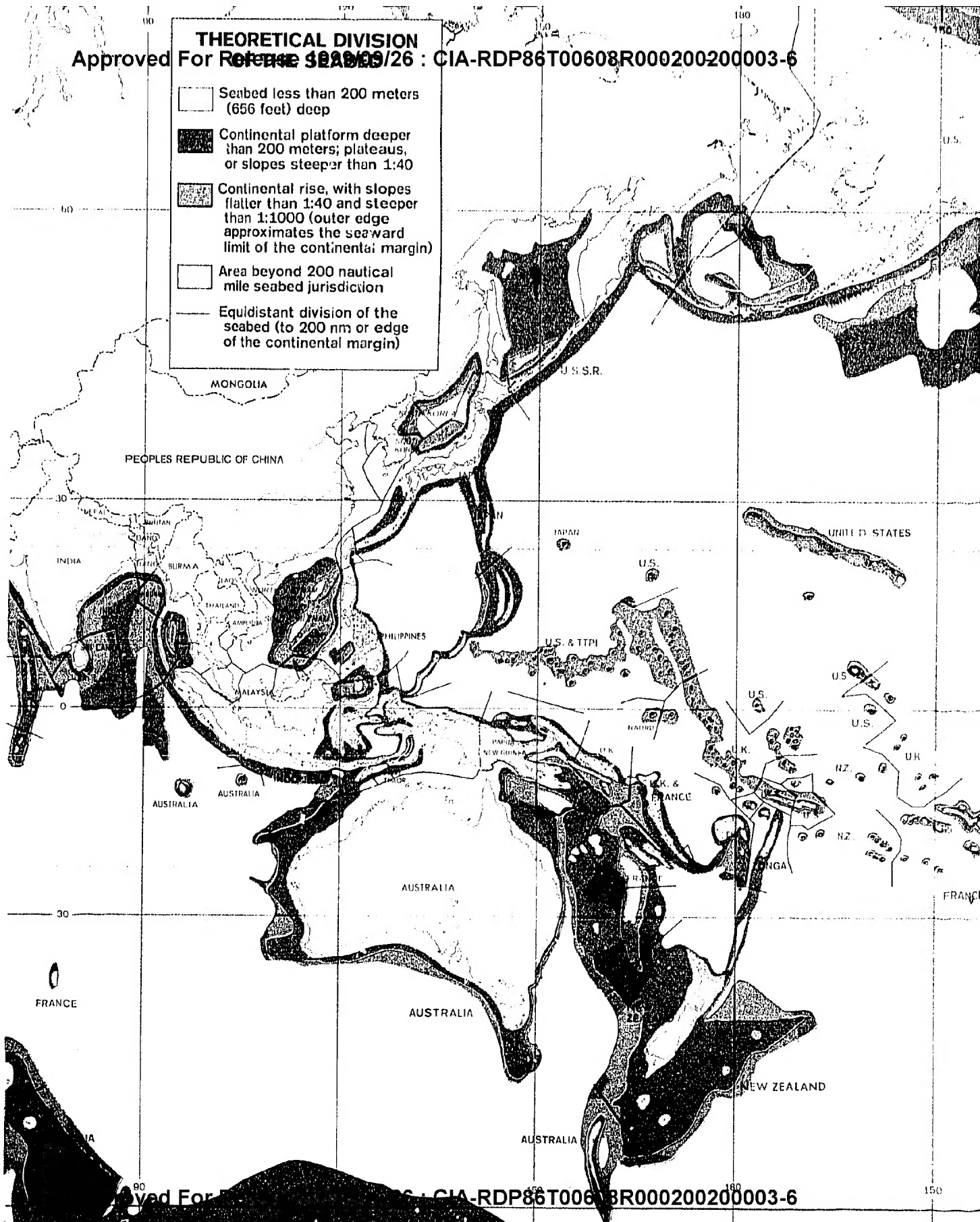
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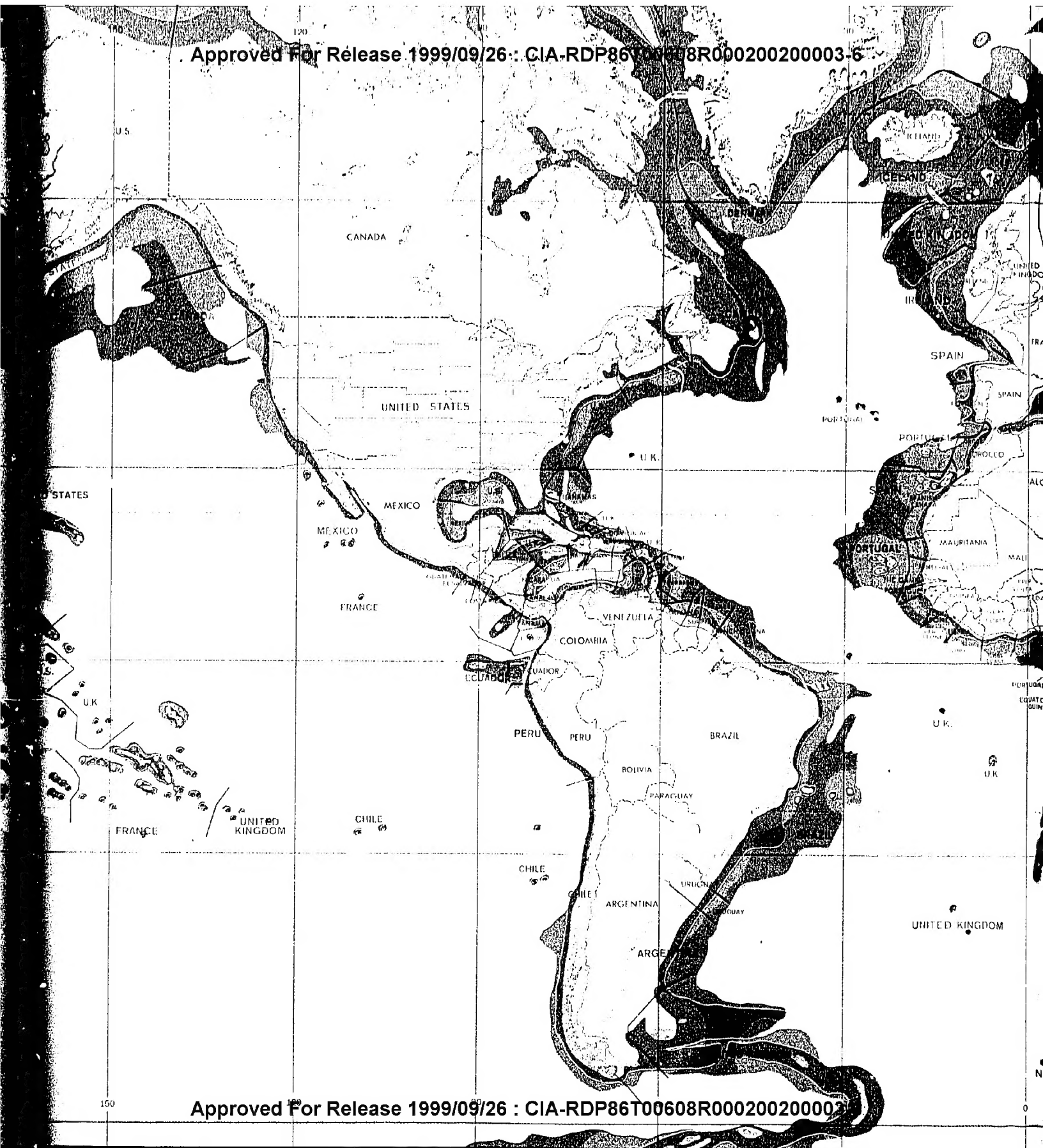
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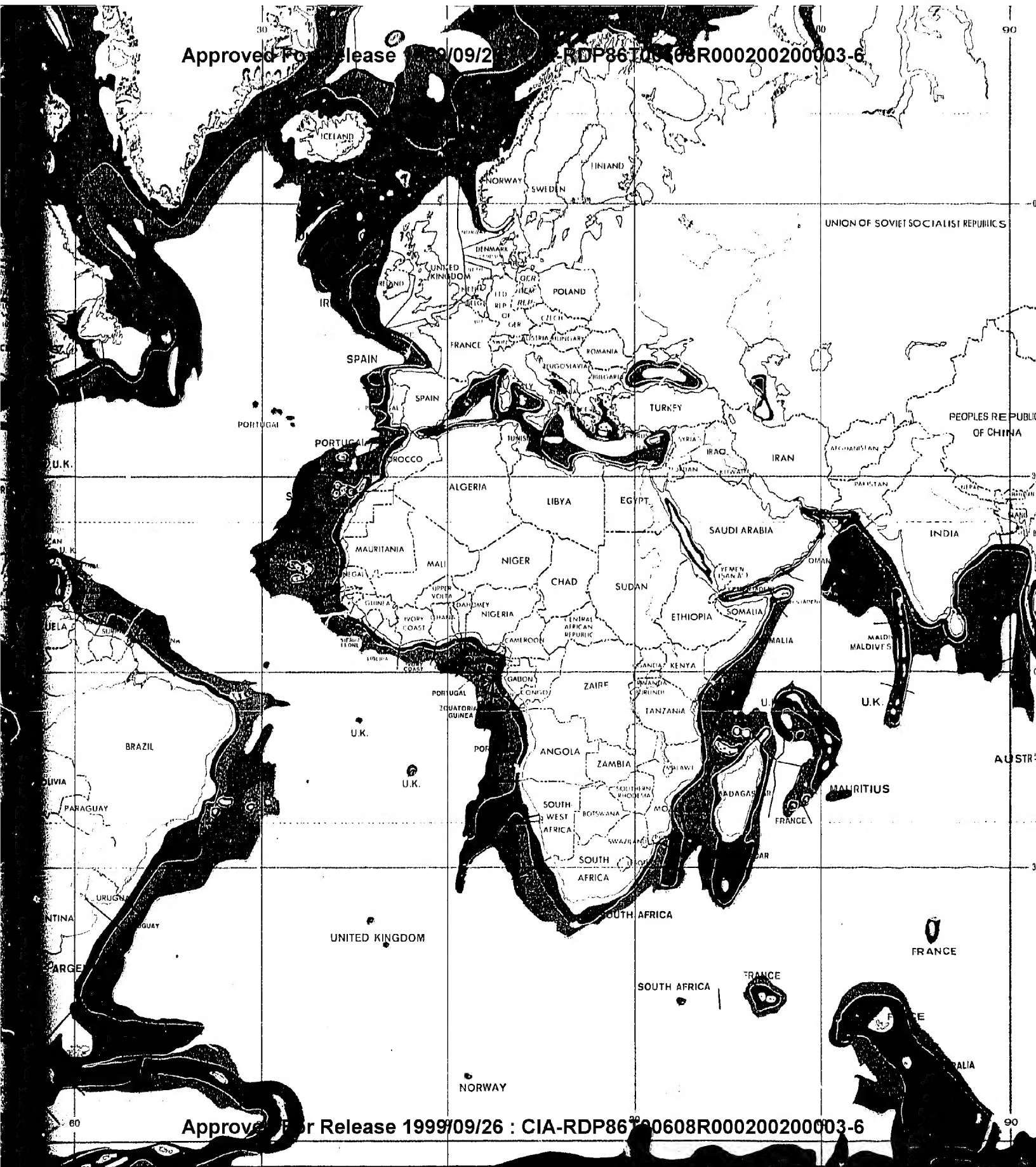
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